

## § 723.101

persons engaged in tobacco related businesses.

723.413 Length of time records and reports are to be kept.

723.414 Failure to keep records and make reports or making false report or record.

723.415 Examination of records and reports.

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### Subpart E—Domestically Produced Cigarettes

723.501 Definitions.

723.502 Domestic tobacco content nonassessment percentage.

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723.507 False reports; failure to file reports; examinations of records; and records for events occurring prior to the publication of the final rule.

723.508 Reconsideration and appeal.

723.509 Limitation of subpart to 1994 production.

AUTHORITY: 7 U.S.C. 1301, 1311–1314, 1314–1, 1314b, 1314b–1, 1314b–2, 1314c, 1314d, 1314e, 1314f, 1314i, 1315, 1316, 1362, 1363, 1372–75, 1421, 1445–1, and 1445–2.

SOURCE: 55 FR 39914, Oct. 1, 1990, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 723 appear at 62 FR 15600, Apr. 2, 1997.

### Subpart A—General Provisions

#### § 723.101 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

The information collection requirements contained in these regulations (7 CFR part 723) have been approved by the Office of Management and Budget (OMB) in accordance with the provisions of U.S.C. chapter 35 and have been assigned OMB control numbers 0560–0058 and 0560–0006.

#### § 723.102 Applicability.

The regulations contained in this subpart are applicable to the 1990 and subsequent crops of burley; flue-cured; fire-cured; dark air-cured; Virginia sun-cured; cigar-filler and binder (types 42, 43, 44, 54, and 55); and Cigar filler (type 46) tobacco. These regulations govern the establishment of farm marketing quotas and acreage allot-

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ments, the issuance of marketing cards, the identification of marketings of tobacco, the collection and refund of penalties and the keeping of records and making of reports. All of the provisions of these regulations apply to each kind of tobacco for which marketing quotas are in effect unless the wording of the text indicates otherwise.

#### § 723.103 Administration.

(a) The regulations in this part will be administered under the general supervision of the Administrator, Farm Service Agency (“FSA”) and shall be carried out in the field by State and county Agricultural Stabilization and Conservation committees (“State and county ASC committees”).

(b) State and county ASC committees, and representatives and employees thereof do not have the authority to modify or waive any of the provisions of the regulations of this part.

(c) The State ASC committee shall take any action required by these regulations which has not been taken by the county ASC committee. The State ASC committee shall also:

(1) Correct, or require a county ASC committee to correct any action taken by such county ASC committee which is not in accordance with the regulations of this part, or

(2) Require a county ASC committee to withhold taking any action which is not in accordance with the regulations of this part.

(d) No provision or delegation herein to a State or county ASC committee shall preclude the Administrator, FSA, or a designee, from determining any question arising under the regulations of this part or from reversing or modifying any determination made by a State or county ASC committee.

#### § 723.104 Definitions.

(a) *Applicability.* The definitions set forth in this section shall be applicable for all purposes of program administration for all kinds of tobacco except as may otherwise be indicated. The definitions in and provisions of parts 718 and 720 of this chapter are hereby incorporated by reference in these regulations unless the context or subject matter or the provisions of these regulations require otherwise.